

SN 10/614,772

Docket No. S-100,626

In Response to Office Action dated September 20, 2005

#### REMARKS

Claims 1-5 are pending in the current application. Claims 1 and 2 stand rejected under 35 U.S.C. 102(e) as being anticipated by Platts (US 6,430,917), and rejected Claim 1, 3, and 4 under 35 U.S.C. 102(e) as being anticipated by Platts (US 6,807,802). Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Platts (US 6,807,802) in view of Platts (US 6,430,917).

The Office Action noted that the instant application and the above references have a common inventor, David A. Platts. Thus, a Declaration under 37 CFR 1.132 accompanies this response declaring that David A. Platts is the sole inventor listed on both the referenced patents (US 6,430,917 and US 6,807,802) as well as the instant application. Thus, the rejections of claims 1-4 under 35 U.S.C. 102(e) are overcome because any invention disclosed but not claimed in those references were derived by the inventor of this application and were not the invention "by another".

Claim 5 has been amended to depend from Claim 4, therefore, the obviousness rejection of 103(a) is overcome by making the claim dependent on an allowable claim.

The specification has been amended to remove an improper reference to a previous U.S. patent.

The claims have been amended to remove any reference to "a turbine inlet scroll" as the specification does not provide proper antecedent basis, and Claim 3 has been canceled.

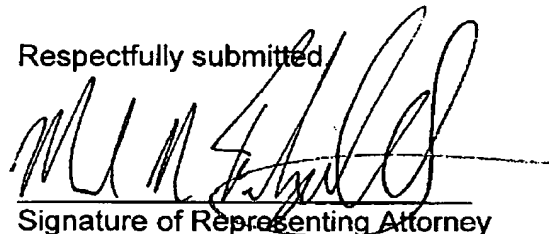
The drawings will be amended to denote the features of axially disposed spaced apart fins and to improve the line quality as the Office Action has requested. The amended drawings will be submitted in a following mailing.

The Examiner is requested to allow Claims 1, 2, 4, and 5 as currently amended, and to pass this case to issue.

Applicant's attorney would be pleased to further discuss this matter by telephone with the Examiner if the Examiner concludes such a discussion would assist in moving this case to issue. No new matter has been added as a result of this response.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark N. Fitzgerald', written over a horizontal line.

Signature of Representing Attorney

Date: November 1, 2005

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